

Exhibit No. 5Amendments to Senate Bill No. 96
1st Reading CopyDate 2-19-07Bill No. SB-96

Requested by Senator Carol Williams

For the Senate State Administration Committee

Prepared by Greg Petesch
February 6, 2007 (5:13pm)

1. Page 2, line 7.

Following: "(3)"**Insert:** "(a)"

2. Page 2, line 9.

Following: line 8**Insert:** "(b)(i) In an original proceeding under subsection (3)(a), the petitioner and the attorney general shall certify the absence of factual issues or shall stipulate to and file any factual record necessary to the supreme court's consideration of the attorney general ballot statements or legal sufficiency.

(ii) If the parties to an original proceeding under subsection (3)(a) fail to make the certification or stipulation required by subsection (3)(b)(i), the supreme court shall refer the proceeding to the district court in and for the county of Lewis and Clark for development of a factual record and an order that addresses the issues provided in 13-27-316(3). Any party may appeal the order of the district court to the supreme court by filing a notice of appeal within 5 days of the date of the order of the district court."

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